IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1875 OF 2006
IN
WRIT PETITION NO. 4432 OF 1995

Shri Suresh Parshuram Gokhale ... Applicant/ Petitioner

V/s.

Office of the Collector of Customs & Central Excise & Anr. ... Respondents

Mr. S.P. Gokhale for the applicant.
Mr. J.G. Satpute for the respondents.

CORAM : H.L. GOKHALE &
V.R. KINGAONKAR,JJ.
DATED : 27th July, 2006

P.C.

. Heard Mr. Gokhale in support of this application. Mr. Satpute appears for the respondents. This application seeks recall of the order dated 15th June, 2006 whereby the Writ Petition No. 4432 of 1995 was dismissed for non-prosecution. It is explained in the Civil Application that the advocate for the petitioner was in another Court and therefore was not present before the particular Court. It is further stated that the advocate contacted the Court immediately on the same day, but the Court insisted for filing of the Civil Application.

2. Mr. Satpute appearing for the respondents

fairly leaves it to the Court to pass appropriate order. In the circumstances, we allow the Civil Application in terms of prayer clause (a). The order dated 15th June, 2006 is recalled. The petition stands restored to its file. No order as to costs.

[H.L. GOKHALE, J.]

[V.R. KINGAONKAR, J.]